

TO: Neighborhood Tree Team members and Portland tree advocates  
FROM: Bruce Nelson, Cully Tree Team 1 May 2023  
RE: Portland Urban Forestry Commission Meeting April 20, 2023:  
Summary and Comments

**NOTE: This document is not an official document of the Urban Forestry Commission. I am a private citizen who is an unpaid volunteer member of the Urban Forestry Commission. I write this document as a private citizen.**

**Conflict of Interest Policy** –

**“Members of City advisory bodies are public officials, based on State law ORS 244.020(15), and as such are required to disclose conflicts of interest. Under the Oregon Revised Statute 244.020(3), an appointee has a conflict of interest when participating in an official action which could or would result in a financial benefit or avoidance of detriment to the public official, a relative of the public official, or a business with which either is associated.”**

These meetings usually occur on a monthly basis, on the third Thursday of the month. Official minutes of the meetings are available at the website for the Urban Forestry Commission (UFC), once they are approved by the Commissioners (usually 1-3 months after the meeting). You can see and listen to You-tube recordings of the meetings. Go to the link at the UFC website <https://www.portland.gov/trees/ufc> or to the You Tube site <https://www.youtube.com/playlist?list=PL1ToXf0RSV44U3FpC0nwIUqtFOmFulxMY>

The decisions made at these meetings may affect volunteer tree advocacy and influence Portland Parks and Recreation Urban Forestry (PP&R UF) processes and actions. If you do not wish to receive this summary & commentary on monthly meetings, let me know.

*Italicized text indicates my own point of view and/or items not necessarily expressed during the meeting.* **Red bold text is used for my required statement that this is not an official or adopted statement from the Urban Forestry Commission, as well as the Conflict of Interest policy for the City of Portland. Bold black text is used for subject headings, and occasionally either to identify who is saying what or for emphasis.**

The monthly UFC meeting was held Thursday 20 April 2023, 9:30 am – 11:30 am. It was held as a joint Zoom and in-person meeting at the Portland Building, 1120 SW 5<sup>th</sup> Avenue, Room 216.

**UFC Members Present** Adrienne Feldstein, co-chair & meeting facilitator, Roberta Jortner, co-chair, Casey Clapp, Ivory Iheanacho, J.R. Lilly, Justin Misner, Bruce Nelson, Leah Plack, Melinda McMillan, and Megan Van de Mark

**UFC Commissioners Absent** Derily Bechthold

**PP&R UF Staff Present** Jenn Cairo, City Forester (PP&R UF); Brian Landoe, Analyst III, (PP&R UF); Ashley Reese, Administrative Specialist II (PP&R UF)

**Other City Staff** Rob Yamachika, Senior Deputy Attorney (Portland City Attorney's Office); Matt Berkow, Planner Coordinator of Streets PDX (Portland Bureau of Transportation)

**Guests:** Victoria Burton, Ashton Burton

### **9:30 a.m. Public Comments**

Tony Dellums spoke on behalf of the request of the Burtons to have UFC recommend a delisting of the Heritage tree on their Mississippi Street property. The tree is causing possible damage to the house foundation. The beetles are causing emotional stress within the residence and consequently rental income from the property. The Burtons are at risk of losing this property. City policies over time have disproportionately reduced wealth accumulation potential for blacks in Portland. Delisting is essential so this does not become yet another example of those types of policies.

Pastor C.T. Wells is a long-time pastor in Portland and grew up on Mississippi Street. The tree is totally out of scale with the property. The tree should not have more voice than the people. The tree needs to be removed.

Ms. Jortner (*unsure of spelling and did not write affiliation, did not identify themselves as related to UFC co-chair Roberta Jortner, so assume not related*) says this property was intended as an investment property for the Burtons. The beetle is eliminating hope of receiving a benefit from this investment. The tree needs to be removed.

Brenna Bell asked about opportunities for collaboration between community organizations and City agencies in working to obtain funds through the federal Inflation Reduction Act (IRA). Is this already happening? An article in *The Oregonian* on April 18 talked about Portland's participation in a group of cities initiating a program called the Urban Forestry Accelerator Program. What is going on?

City Forester Cairo stated that she would address the IRA situation in her report later in the meeting. In the interest of time, she will email information on UF's involvement with the vanguard cities in this program.

### **9:44 Minutes Review**

Minutes from the February 16, 2023 UFC meeting were approved as written. Minutes from the March 16 meeting were approved after suggested edits.

### **9:48 City Forester's Report** Jenn Cairo, City Forester (PP&R UF)

1. UF will be giving a Spring Tree Walk on April 29<sup>th</sup> at Knott Park (NE 117<sup>th</sup> & Knott) at 10 am. This walk is open to the public and will include some information about the new Portland Heritage Tree in this park. At 11:30 there will be a brief gathering to honor Gregg Everhart, who has received the State of Oregon's Heritage Tree Hero Award. Gregg Everhart has served on the Portland Heritage Tree for many years in various capacities, most recently as chair, until her term as a UFC member ended in February/March of 2022. She remains a very important member of the Portland Heritage Tree Committee.
2. There will be a Streets PDX update (formerly called Streets 2035). This inter-bureau project involving Portland Water Bureau (PWB), Bureau of Planning and Sustainability (BPS), Bureau of Development Services (BDS), PP&R UF, and Portland Bureau of Transportation (PBOT) is being led by PBOT staff. The main focus is clarifying a process to use in allocating use of scarce space in the public right-of-way. Think of this as a street design process. PP&R UF staff involved are Casey Jogerst, Rick Faber, Jenn Cairo, and Belinda Judelman, who is the point person for PP&R UF.
3. PP&R UF has put out Requests for Proposals (RFP) for consultants to assist in the preliminary stages of the Forest Management Plan update. The goal is to complete the updated plan by 2024. April 28<sup>th</sup> is the due date for responses to the RFP.
4. PP&R UF submitted a list of potential urban forestry projects in Portland for consideration by the Oregon Department of Forestry (ODF) as part of its Inflation Reduction Act request. ODF submitted a request for \$30 million in

funds for different projects. It received a little over \$3 million. *I don't believe any of this is for Portland projects.*

5. December 31, 2024 is the expiration date for Tree Code Amendment 11.050.040 C1, which requires a high mitigation fee for removal of trees 20" or larger dbh. This specific part of Title 11 is beneficial to the preservation of larger trees. City Forester Cairo hopes UFC will consider what action would be appropriate in light of the expiration date of this portion of the code. Options for this amendment: extend it to a later date, eliminate it, modify the language, or rewrite it so there is no expiration date.
6. As part of Women's Month, the March 23 edition of PP&R UF's publication Tree Bark profiles three women who work at Urban Forestry – Julie Fukuda, Natasha Lipai, and Mari Aviles. Their stories are instructive for all.  
<https://www.portland.gov/trees/get-involved/documents/tree-bark-newsletter-march-23-2023-0/download>

**10:00 am Streets PDX** Matt Berkow, Planner & lead (PBOT)

Matt Berkow gave an update on the progress of Streets PDX, the revised name of Streets 2035. PBOT decided that the name Streets 2035 led to some confusion. The purpose remains trying to work out a process that will be used in sorting out the use of the right-of-way space when there are competing demands for it. This requires collaboration between PBOT, PP&R, Portland Water Bureau, Bureau of Environmental Services, and private utilities. This group has analyzed the different demands on this space, especially in the context of the different street types in Portland. UFC and UF have provided invaluable input in the past regarding the needs of trees if they are to thrive in the right-of-way space as well as the importance of having trees in the right-of-way space.

Matt Berkow has placed this information in an online accessible format to assist in development projects that include allocation of right-of-way space. The hope is that this web-based tool will be available to the public in June 2023. You can learn more by going to the link below.

<https://www.portland.gov/transportation/development/streets-2035#!/action=viewmore&type=topPages>

As part of this project, every street in Portland will be classified as one of the street types:

- a. Civic Main Streets;
- b. Neighborhood Main Streets;

- c. Civic Corridors;
- d. Neighborhood Corridors;
- e. Regional Corridors;
- f. Community Corridors;
- g. Urban Throughways;
- h. Industrial Roads;
- i. Enhanced Greenway Corridors;
- j. Greenscape Streets;
- k. Local Streets.

It was brought home loud and clear during this process that street trees are an important component of the City's infrastructure. Another lesson learned is that utility vaults in the right-of-way space are needlessly taking up valuable space. Development requirements have changed such that vaults are being required to be placed on private property, not the right-of-way space, unless extenuating circumstances prevent that. This is especially important in commercial districts, like downtown, where trees are viewed as an important component of a welcoming business environment.

Once the website goes live, it is expected that it will include most recent updates of information, since its links will go to the relevant documents from the different bureaus involved. The goal is to have the website be a useful tool for developers and planners. *It can also be a very useful tool for neighborhood activists with concerns about new development.*

UFC member Megan Van de Mark wondered if there will be any link in the website to heat equity mapping that has been done of the city. She also noted that PBOT seems to use graphics that always show trees as relatively small or space for them as minimal. That is concerning. Matt Berkow said he would share those comments with his team.

UFC member Casey Clapp wondered if there was any sort of ranking of priority use for the ROW space, especially in light of City goals and more recently climate concerns. Matt responded that there is no ranking system.

UFC co-chair Roberta Jortner was happy to see some attention being paid to subsurface vaults. She hopes that PBOT will be monitoring how many exceptions are granted to this new requirement. Matt Berkow responded that PBOT to date has received no requests asking for exceptions.

### **10:45 pm Urban Forestry Proposed Fees for FY 23-24**

Brian Landoe, Analyst III (PP&R UF)

The proposed fees for UF services for fiscal year 23/24 (which begins July 1, 2023 and ends June 30, 2024) were presented by Brian Landoe. A fiscal goal for UF is to recover in fees all expenses related to development. Currently UF recovers about 85% of its costs in dealing with new development. The revenue is very important to UF.

UF is proposing a 5% increase in development-related fees, in line with what the PP&R Finance team is recommending. There are a few exceptions where fees are being modified to bring them in line with similar services provided in other bureaus (development violation and code hearings filings fees).

UF is continuing to subsidize non-development-related services.

UFC member Bruce Nelson wondered if it would be possible to have a detailed explanation of what these different services are for which fees are collected. UFC member J. R. Lilly would like to see full costs for development-related work done by UF. Brian Landoe again stated that in the past when UF tracked this, the calculation was that UF recovers 85% of its costs from the fees it charges for development-related work. City Forester Cairo responded that if other members of UFC think more information should be given at a future UFC meeting, she is confident that Casey Jogerst of Permitting and Regulations would be very happy to share with UFC what these services are.

UFC members Megan Van de Mark and Leah Plack both thought there should not be a charge for a permit to plant street trees.

City Forester Cairo believed that it will be more feasible for managers at PP&R UF to attend more UFC meetings due to higher staffing levels at PP&R UF.

### **11:00 a.m. Request to UFC to Recommend to City Council to Delist Heritage Tree #26** Jenn Cairo, City Forester (PP&R UF)

City Forester Jenn Cairo updated UFC members on matters pertaining to the request by the Burtons to have UFC recommend to City Council that Heritage Tree #26 be delisted. PP&R UF explored options available to have PP&R UF provide funding for pruning and pest treatment for this Heritage Tree. The Portland City Attorney's Office stated that is not appropriate to use city resources for non-owner

occupied Heritage trees on private property. A private funding source for this work has been found, the African American Alliance for Homeownership. <https://www.aaah.org/>.

They have offered to pay the costs for crown raising of the tree and the systemic insecticide treatment on the tree for elm leaf beetle control. This amounts to about \$2,200. The Portland City Attorney's Office does not believe that any decision made to recommend or not recommend delisting for this Heritage Tree has any effect on other Heritage trees.

UFC member Justin Misner thought it was wonderful that a community organization has stepped up to assist the Burtons in this matter. But that is not a feasible, long-term solution for the Burtons.

UFC co-chair Roberta Jortner appreciated the willingness of the African American Alliance for Homeownership (AAAH) to step up to assist. This is a positive step in the direction of trying to find a way to support the Burtons while also preserving this tree.

UFC member Leah Plack considers the fact that the Burtons are still present at these UFC meetings indicates that this support from AAAH is greatly appreciated but not a long-term, satisfactory solution.

UFC member Megan Van de Mark feels very strongly about this issue. A reported \$30,000 to \$60,000 damage to the Burtons' property, *related to the tree*, has occurred. This is too large a cost for the Burtons to be forced to pay.

UFC member Melinda McMillan considers this a time-sensitive issue that UFC should act on now. Certainly the tree is important but there are real costs mounting up for the property owners.

UFC member Ivory Iheanacho contends that it is the responsibility of the City to notify all owners of Heritage Trees in Portland about their responsibilities for their Heritage Tree (s). She has concerns about what message will be sent to the community if UFC fails to recommend delisting of this Heritage Tree.

UFC member J.R. Lilly has found the conversation on this matter to be process-stressed. He is in favor of recommending delisting of this Heritage Tree.

UFC member Justin Misner made a motion that UFC recommend to Portland City Council that Portland Heritage Tree #26 be delisted [*no longer have Heritage Tree status and the protections that come with that*]. The motion was seconded and was passed 6-4, thereby obtaining the necessary 6 votes. It was agreed that the draft letter would be written after discussion at the UFC Policy Committee meeting on April 24. The Policy Committee will bring UFC the draft letter for the May 18 UFC meeting. *The UFC Policy Committee meeting held April 24<sup>th</sup> was attended by UFC members Casey Clapp, Ivory Iheanacho, Roberta Jornter, Justin Misner, Bruce Nelson, Leah Plack, and Megan Van de Mark along with additional community members. At the start of the meeting, Roberta Jortner proposed that UF staff write a draft of the letter for UFC review at the May meeting. Brian Landoe said he could do that, especially in light of the stated purpose of this policy meeting, to identify the different items to be included in the letter.*

UFC members Justin Misner, Ivory Iheanacho, Leah Plack, and Melinda McMillan expressed an interest in attending the UFC Policy Committee meeting on April 24<sup>th</sup>.

**Next Urban Forestry Commission Meeting:** The next UFC meeting will be 9:30 am – 11:30 am, May 18, 2023. It is likely that this will be a hybrid meeting with both in-person (same location as today’s meeting) and Zoom for attendance and participation. Check the link below prior to the meeting for the agenda, meeting materials, and how you can gain Zoom access to this meeting.

<https://www.portland.gov/trees/ufc/events/2023/2/16/urban-forestry-commission-meeting>